

OFFICE OF SCIENCE, ARGONNE SITE OFFICE (ASO) STANDARD OPERATING
PROCEDURE (SOP) 28 **WORK-FOR-OTHERS (NON-DEPARTMENT OF ENERGY
FUNDED WORK)**

A. OBJECTIVE

The purpose of this procedure is to establish internal ASO guidance for reviewing, processing and approving Work for Others (WFO) activities performed by Argonne National Laboratory (ANL).

B. SCOPE

Under the terms of the prime contract, WFO is recognized as a vital part of the DOE mission. The Site Office serves as the program manager for WFO, and annually recommends to the Office of Science, through the Institutional Planning process, the recommended level of WFO. The scope of this procedure applies to any ASO staff member involved in reviewing, authorizing, or providing oversight of WFO performed by ANL.

C. REFERENCES

1. DOE O 481.1B
2. DOE M 481.1-1A
3. DOE G 481.1-1

D. RESPONSIBILITIES

1. Argonne Site Office Manager
 - (a) Approves ASO operating procedures that establish the internal ASO process to oversee the ANL WFO program.
 - (b) Makes final determination on implementation and/or approval of WFO activities in accordance with all applicable guidance.
2. Team Leader, Business Management Team (Contracting Officer)
 - (a) Reviews and approves WFO for compliance with guidance, as applicable.
 - (b) Executes on behalf of ASO, as Contracting Officer (CO), all funding agreements, Military Interdepartmental Procurement Requests (MIPR), Interagency Agreements (IAG) and Memorandum of Understandings submitted by other Federal sponsors for work to be performed by ANL.
3. WFO Program Manager
 - (a) Has primary responsibility for administration of WFO program, procedure and process.

- (b) Develops and implements procedure(s) for the review, authorization, assignment and control of all ANL WFO activity in accordance with applicable requirements.
- (c) Provides procedural and interpretative advice to staff.
- (d) Reviews all Federally sponsored WFO projects for compliance with applicable requirements.
- (e) Approves Federally sponsored WFO and sends approval letter to the Federal sponsor.
- (f) Reviews all non-Federally sponsored WFO projects for compliance with applicable requirements and recommends approval or disapproval to the CO.
- (f) Maintains an automated system for tracking WFO activity with sufficient detail to respond to various reporting requirements, and inquiries.

E. PROCEDURE

This procedure is divided into two distinct sections; one addressing Other Federal Agency (OFA) sponsors and the other addressing Non-Federal sponsors. (See flowchart in Attachment)

All WFO proposals and funding documents are entered by ANL into a shared WFO database, which is maintained by ANL. The database is accessed through the WWW. Tracking, and reporting information is available through various screens and reports. Access is limited, by a password, to ASO's WFO program personnel, and the Business Management Team Secretary.

A WFO Operating Manual is maintained by the WFO program manager, and serves as a complete guide on all aspects of the WFO program. The Manual includes this SOP, relevant prime contract clauses and DOE Orders, form letters, close out procedures, and other policy guidance.

1. WORK FOR OTHER FEDERAL AGENCIES (OFA)

ASO Review process:

- (a) ANL's WFO proposal package submitted to ASO includes as appropriate:
 - Technical proposal including:
 - Scope of Work
 - Period of Performance
 - Budget breakdown showing all cost elements
 - Reporting Requirements, if any
 - WFO Proposal Information Questionnaire (PIQ) answering all applicable questions, including security concerns and ESH

documentation.

- NEPA review form
- Counterintelligence Review Form

Each proposal package is reviewed for conformance with basic requirements set forth in DOE O 481.1B. The WFO PIQ is used to determine if the proposal meets the requirements of DOE O 481.1B, part 4.c. If the work is not clearly appropriate, it should be brought to the attention of the Team Leader or Supervisor. The ANL prime contract and annual Institutional Plan are used as guides in making this determination. Legal opinion may be sought in unusual circumstances.

If any activities involve sensitive subjects, or are so significant in terms of funding or physical impact on the ANL site, or the Laboratory's DOE funded programs, they should be coordinated with the Office of Science and the cognizant HQ program office.

Pricing of ANL work is established in accordance with DOE Order 522.1, "Pricing of Departmental Materials and Services" and the National Defense Authorization Act of 1999 (Public Law 105-161). Each proposal should be reviewed to ensure that the price of the work is consistent with current pricing guidance. Refer to the WFO Operating Manual for the current guidance on pricing.

(b) Notify sponsor of DOE approval

Approval for ANL to perform the work is provided by ASO directly to the OFA. If the sponsor elects to fund the work, an interagency agreement will be sent to ASO for acceptance.

(c) Accepting Interagency Agreements (IAG)

All Work for OFAs is performed under an interagency agreement between the sponsor and DOE. ASO typically accepts the sponsors' agreement format, but may negotiate with the sponsor on what elements are needed in the agreement.

Upon receipt in ASO, copies of all funding agreements are sent to ANL's Office of Technology Transfer (OTT) for review to determine if the scope of work is consistent with the ANL proposal and budget request. OTT notifies ASO if the IAG is consistent with the budget, and scope of work and requests ASO to execute the IAG.

ASO reviews each IAG to ensure the following key elements are present in the agreement, as applicable:

- Non-competition certification (as required by DOE O 481.1B, part 4.d.)

- A commitment to pay a definite sum of money to DOE
- A scope of work by reference to the ANL Proposal or attachment to the IAG, consistent with the scope of work previously approved by DOE
- A period of performance and/or expiration date
- Reporting requirements
- Billing instructions, including U.S. Treasury Agency Location Code (ALC)
- Name, mailing address, telephone number, fax number, and programmatic points of contact

ASO prepares acceptance letter and executes agreement after review of the above, and returns signed agreement to the sponsor

(d) Close-out

Closeout procedures (See WFO Operating Manual) are followed to de-obligate any remaining funds and to dispose of property that may have been acquired under the IAG. Close-out may be initiated by ANL or the sponsor.

2. WORK FOR NON-FEDERAL ORGANIZATIONS

ASO Review process:

- (a) ANL's WFO Proposal package submitted to ASO must include at a minimum:
- Technical proposal including:
 - . Scope of Work
 - . Period of Performance
 - . Budget Breakdown showing all cost elements
 - . Reporting Requirements, if any
 - WFO Proposal Information Questionnaire including security concerns and ESH documentation
 - NEPA Review Form
 - Counterintelligence Review Form

All of the foregoing Section E.1. (a) (for Federal work) of this SOP generally applies to non-Federal work as well. Additional consideration must be given to the following two areas before approving non-Federal work.

Waivers of the DOE Administrative Charge. Waivers are requested by ANL on the "Report of Exception to Full Cost Recovery" form and are submitted with the WFO proposal package. Exceptions shall be reported quarterly to the CH Chief Financial Officer, Accounting and Finance. The WFO database contains a summary Quarterly Waiver Report used to prepare this information.

Intellectual Property Rights. ANL intellectual property lawyers communicate directly with the CH Office of Chief Counsel, Intellectual Property Law Division (OCC-IPL) to establish appropriate intellectual property provisions for each WFO agreement. ASO receives written concurrence directly from OCC-IPL on the appropriate IP terms and conditions.

(b) Approval of Non-Federal WFO

Approval for ANL to perform non-Federal work is provided directly to ANL (for Federal sponsors, the sponsor is notified). If the sponsor agrees to the standard DOE pre-approved WFO Agreement, ASO review of the agreement is not required. The pre-approved agreement is filed in the WFO Operating Manual. If ANL, or the sponsor, propose material deviations from the pre-approved agreement, ANL will send it to ASO for approval. ASO will generally send material deviations to the General Law Division (OCC-GL) for review.

(c) Close-out

Since DOE is not a signatory party to the agreement with the non-Federal sponsor, ANL holds the agreements and closes them out in accordance with ANL's procedures.

3. WFO Administration - General

ASO relies on the sponsor to track technical progress, and cost and/or schedule of the work. ASO may attend WFO project and division reviews, or the University of Chicago peer reviews to maintain a level of knowledge and awareness of WFO activities.

In addition to the routine activities of approving proposals and accepting interagency agreements, the Business Management Team WFO Program Manager, or other assigned staff member, is responsible for day to day administrative activities required to oversee the WFO program. Examples include providing policy guidance to ANL, responding to inquiries, coordinating the review and acceptance of memorandum of understandings, resolving disputes, attending program reviews, coordinating audit follow-ups, and performing an annual self-assessment as required by the Office of Science.

s/R. Wunderlich
ARGONNE SITE OFFICE MANAGER

Date

ATTACHMENT:
Flowchart, "WFO Review Process - Proposal to Funding Stage"